

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARNELL DOSS,	:	Civil No. 4:19-cv-1789
	:	
Plaintiff,	:	
	:	(Judge Sylvia H. Rambo)
v.	:	
	:	
BUREAU OF PRISONS, et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 21st day of September, 2023, upon consideration of Defendants' second motion seeking dismissal of Plaintiff Darnell Doss's complaint under Federal Rule of Civil Procedure 12(b)(6) or summary judgment under Rule 56, and Magistrate Judge Arbuckle's Report and Recommendation (Doc. 75) recommending that the motion be granted, and noting that Plaintiff has not filed objections to the report and recommendation and the time for doing so has passed, and the court having satisfied itself that there is no clear error on the face of the record, Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error), **IT IS HEREBY ORDERED** as follows:

- 1) The Report and Recommendation (Doc. 75) is **ADOPTED**;
- 2) Defendants' motion (Doc. 58) requesting dismissal and/or summary judgment as to all remaining claims is **GRANTED**;

- 3) The Clerk of Court is **DIRECTED** to close this case; and
- 4) The court declines to issue a certificate of appealability, as Brown has failed to demonstrate a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see also Buck v. Davis*, 137 S.Ct. 759, 773-75 (2017); *Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge